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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,851	02/20/2002	Marco Casassa Mont	1509-280	3203

7590 10/17/2005

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EXAMINER	
HO, THOMAS M	

ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/077,851	MONT ET AL.	
	Examiner	Art Unit	
	Thomas M. Ho	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 February 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/20/02*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-19 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Stefik et al., US patent 5629980.

In reference to claim 1:

Stefik (Figure 1) & (Column 7, lines 5-37) & (Col 6, lines 50-56) discloses a method of exchanging a digital credential between a first computer node and a second computer node, the method comprising establishing a secure connection between the first node and second node over a communication network; initiating, in response to the interaction of a user of a computer node on the network, the transfer of a digital credential from the first node to the second node over the secure connection, where the first node is Repository 1, where the second node is repository 2(Figure 1), where the digital credential is the digital usage rights which are attached to the digital work(Col 6, lines 50-56), and where the digital credential is transferred between the first node and second node upon successful

authorization(Figure 1, Item 107), and the credential is transferred through a secure connection. (Column 26, line 48-62)

In reference to claim 2:

Stefik (Column 26, line 38 – Column 27, line 67) & (Figure 2, Figure 4a, Figure 4b) discloses a method according to claim 1, further comprising establishing a plurality of secure connections between the first node and a plurality of respective computer nodes and initiating, in response to the interaction of a user of a computer node on the network, the transfer of digital credentials from the first node to one or more of the respective computer nodes over the respective secure connections, where the first node may transfer the digital to a variety of repositories such as Repository 2(Figure 1), a printer repository (Figure 4a), a display execution repository(Figure 4b), or any other users that desire to acquire the digital work. (Column 26, line 38 – Column 27, line 67)

In reference to claim 3:

Stefik discloses a computer system according to claim 1, wherein the digital credential is an attribute credential of an entity where the digital credential is the usage rights to a work, and where the usage rights are an attribute credential of another entity, the system of the digital work. (Figure 10) & (Column 9, line 7 – Column 11, line 30, "Structure of a digital work") & (Column 6, lines 50-56)

In reference to claim 4:

Stefik discloses a method according to claim 1, wherein the entity is a user of a system or a service, where the entity is the user or rather, recipient of the digital work seeking to use the digital work, where the digital credentials are an attribute of the digital work itself, and additionally an attribute of a user entity, as each user has a certain set of rights he or she is allotted for use of the digital work. (Column 6, lines 42-50)

In reference to claim 5:

Stefik (Figure 1, Item 105) discloses a method according to claim 1, wherein the digital credential determines access to a service.

In reference to claim 9:

Stefik (Figure 1, Item 107) & (Column 27, line 30 – Column 28, line 31) discloses a method according to claim 1, further comprising presenting to a user the digital credential associated with the secure connection, where the digital credential is part of the digital work(Column 6, lines 50-56), and the digital work is presented to the user(Figure 1, Item 107) upon successfully authenticating (Figure 1, Item 105).

Claim 10 is substantially similar to claim 1 and is rejected for the same reasons.

Claim 11 is substantially similar to claim 2 and is rejected for the same reasons.

In reference to claim 12:

Stefik (Column 27, line 30 – Column 28, line 31) discloses the computer system according to claim 11, further comprising a verifier for verifying the digital certificate,

where the digital certificate is verified by extracting the repository identifier and is verified against a list.

Claim 15 is substantially similar to claim 1 and is rejected for the same reasons.

Claim 16 is substantially similar to claim 1 and is rejected for the same reasons.

Claim 17 is rejected for the same rationale as claim 5.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 6-8, 13, 14, 18-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Stefik, US patent 5629980.

In reference to claim 6:

Stefik fails to explicitly disclose a method according to claim 1, wherein the digital credential is an identity certificate of a user.

However, the use of identity certificates of users are well known in the art. For Example, Stefik employs them as another digital credential to be used to help established the identity of the repository, and hence, the user of the repository (Column 27, line 30 – Column 28, line 31)

It would have been obvious to one of ordinary skill in the art at the time of invention to have the digital credential be an identity certificate of user in order to use a well known method which allows the user be properly authenticated, and the user may be properly assigned the privileges associated with his or her digital identity.

In reference to claim 7:

Stefik fails to explicitly disclose a method according to claim 1, wherein the communication network is the internet.

The Examiner takes official notice that the use of the Internet as a communication network was well known in the art at the time of invention.

It would have been obvious to one of ordinary skill in the art at the time of invention to have Stefik use the Internet as its network of communication in order to make the digital works more accessible to regular customers who already have access to the Internet.

In reference to claim 8:

Stefik fails to explicitly disclose a method according to claim 1, wherein the secure

connection is a secure sockets layer session.

The Examiner takes official notice that the secure sockets layer session, also known as SSL, or TLS(transport layer security) was well known in the art at the time of invention. For Example, whenever a user goes to a website and sees the HTTP:// change to HTTPS:///, it is an indicate that SSL is being employed.

SSL is the dominant security protocol for encrypting and securing transmissions on the Internet. Certain vendors even sell computers or processors dedicated solely to the processing of SSL connections. The advantage of SSL is that it provides a reasonable amount of security without overburdening computing resources.

It would have been obvious to one of ordinary skill in the art at the time of invention to use SSL in order to employ a security protocol that is well known and supported by a variety of vendors in order to ease implementation of the security methods, while not implementing a security protocol that would overburden servers processing SSL connections.

Claim 13 is rejected for the same reasons as claim 18.

Claim 14 is rejected for the same reasons as claim 19.

In reference to claim 18:

Stefik fails to explicitly disclose a computer node according to claim fifteen, further comprising memory for storing the digital credential associated with the secure connection and a display for presenting to the user the digital credential.

It is however implied by Stefik that the digital credential may be presented to the user or edited in the form of the usage rights language. (Figure 15). Additionally, Figures 4b, item 411, and Figure 12, Item 1202 strongly implies that Stefik does disclose a computer node further comprising memory for storing the digital credential and employing a display for displaying the digital work, which is comprised of the digital credential. (Column 6, lines 50-56)

However, even if such claimed elements are not explicitly stated by Stefik, in light of the disclosure above, it would have been obvious to one of ordinary skill in the art at the time of invention to have a computer node with memory for storing the credential and have a secure connection and display for presenting to the user a digital credential in order to properly render the digital work and allow the user to play it.

In reference to claim 19:

Stefik fails to explicitly disclose a computer node according to claim 18, further comprising a controller for arranging digital credentials into groups, the groups being associated with a respective secure connection to allow a user to monitor digital credentials associated with a secure connection.

where the controller is the mechanism of the repository that determines if transmission of the digital work is acceptable, and where the digital credentials(usage rights) and arranged into groups such as printing, or loaning credentials. (Column 11, lines 30 – Column 12, lines 38, "Attaching usage rights to a digital work"), and where each group is associated with one or more respective secure connections (Column 13, lines 40-50), where each connection is the various repositories and systems that the repository may connect with to transfer the digital work, where each connection is secure (Column 13, lines 25-40), and where each group is associated with each connection is established with a different requestor of the digital work, based on a different category or group of digital right. For example, a printer user seeking to print out the work would connect with the repository (Figure 4a) but would need to satisfy the PRINT group of rights (Column 12, lines 8-30) & (Column 18, lines 9-23). As another example, another repository seeking to acquire the work for display or execution (Figure 4b), would need to satisfy a different set of rights for example limited usage of the digital work in terms of metered time. (Figure 15, Item 1515) & (Column 18, lines 65 – Column 19, line 4). Other groupings of the rights include (Column 20, lines 1-40) et seq, and where the user may monitor these digital credentials through the usage language such as copy-count. (Figure 15), (column 31, lines 50-65)

Conclusion

6. The following prior art not relied upon is made of record.

- US patent 5560008 uses a system of server credentials for client access to a

service from the server.

- US patent 5611048 is a system the remotely administers passwords for a computer network among a plurality of nodes.
- US patents 6449739, 6564342 are methods where clients or users may monitor the status of the server.

7. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (571)272-3838.

The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

General Information/Receptionist	Telephone: 571-272-2100	Fax: 703-872-9306
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TMH

September 25st, 2005

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